

Chapter 29.46-13. Commercial Districts. ¹

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29.46-13.010. Purpose.

A. Central Business District (CBD) Zone: The purpose of this zone is to establish a district for retail, entertainment, service, and heritage related businesses and activities that are intended to cultivate a high level of pedestrian activity, and encourage both daytime and nighttime consumer activity. This zone is also intended to protect the unique nature of the Brigham City downtown area. Regulations of this zone are designed to provide a suitable environment for those commercial and service uses which are vital to economic life, with an emphasis on retail, service, entertainment, and heritage enterprises. A high degree of quality is required in project design. Compatibility of new construction with existing architecture will be expected meeting the requirements of the RDA #1 standards where applicable.²

B. General Commercial (GC) Zone: The purpose of this zone is to establish a district for a combination of commercial, office, entertainment, retail, and service businesses and activities. The zone is designed to allow a range of businesses including some that may not be appropriate for a downtown business area. This zone is distinguished from the Central Business District by the accommodation of uses that may generate a lower level of pedestrian activity. A high level of quality is required in project design.¹

29.46-13.020. Codes and Symbols.

In the following Sections of this Chapter, uses of land or buildings which are allowed in the various districts are shown as "permitted uses," indicated by a "P" in the appropriate column, or as "conditional uses," indicated by a "C" in the appropriate column. If a use is not allowed in a given district, it is either not named in the use list or it is indicated in the appropriate column by a dash, "-." If a regulation applies in a given district, it is indicated in the appropriate column by a numeral to show the linear or square feet, or by the letter "A." If the regulation does not apply, it is indicated in the appropriate column by a dash, "-." No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained in the commercial and industrial districts except as provided in this ordinance.

	GC	CBD
1. Agriculture: The tilling of the soil, the raising of crops, horticulture and gardening	C	-
2. Accessory uses and buildings customarily incidental to the permitted uses	P	P
3. Accessory uses and buildings customarily incidental to the conditional uses	C	C
4. Temporary buildings for uses incidental to construction work, including living quarters for a guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work	C	C
5. Automobile Sales and Services: Automobile service station	P	C
Automobile or recreation vehicle sales, service, lease, rental, and repair, new or used conducted indoors ³	P	C

¹ Numbering changed with Ordinance No. 07-13, dated 7/19/07

² Ordinance No. 98-05, 1/15/98

³ Ordinance No. 03-46, 10/30/03

	GC	CBD
Automobile or recreation vehicle sales, service, lease, rental, and repair, new or used conducted outdoors ⁴	P	C
Automobile Parts Sales	P	P
Body and fender shop; motor vehicle, bicycle, and recreation vehicle assembling, painting, upholstering and rebuilding	P	C
Car wash ⁵	C	C
Parking lot incidental to a use conducted on the premises	P	P
Parking lot not incidental to a use conducted on the premises	P	P
6. Dwellings and Other Living Quarters:	P	P
Assisted Living Facility ⁶	P	C
Boarding House	C	C
Dwellings meeting the requirements of the R-M-30 Zone: Single-Family Two-Family Three-Family Four-Family Multi-family Group	P P P P P C	P P P P P C
Fraternity or Sorority House	C	C
Homeless Shelter	C	-
Hotel; motels	P	P
Nursing Home	P	-
Protective Housing Facility	P	P
Recreational Coach Park; Mobile Home	C	-
Residential Facility for Elderly Persons	P	P
Residential Facility for Persons with a Disability	P	P
Single or Multiple Family Dwellings Located in the same building and located above, behind, or beneath a principal commercial use ⁷	C	C
Transitional Housing Facility	C	-
7. Processing and Manufacturing: Baking, Ice Cream Making, and/or Candy Making	P	P
Bookbinding	P	P
Knitting Mill	C	-

⁴ Ordinance No. 03-46, 10/30/03

⁵ Ordinance No. 03-46, dated 10/30/03

⁶ Ordinance No. 01-17, dated 2/15/01

⁷ Ordinance No. 03-45, dated 10/30/03

	GC	CBD
Laboratories	P	C
Machine Shop	P	-
Manufacturing, Compounding, Assembling and Woodworking of articles in small totally enclosed woodworking shops of not more than five employees ⁸	C	-
Micro Breweries	P	C
Mobile Lunch Agency	P	P
Monument Works	P	-
Motion Picture Studio	C	C
Plastic Molding Injection of Products Parts of No More Than Six Pounds	C	-
Printing - Convenience for drop-in customers	P	P
Publishing and contract printing	P	P
Upholstering, including mattress manufacture, rebuilding or renovating	P	C
Weaving	P	C
Welding Shop	P	-
8. Public and Quasi-Public: Churches	P	P
Parks, Golf Courses, Swimming Pools and Other Recreation Areas	P	P
Private Schools (education, art, dance, dramatics)	C	C
Public Buildings	P	P
Public Utility Installations	P	C
Radio/Television transmitting towers	C	C
9. Recreation: Archery Shop/Range, if conducted in enclosed building	P	P
Athletic Club; Health Club; Athletic Goods Store	P	P
Bicycle Shop	P	P
Bowling Alley, Boxing Arena	P	C
Campground	P	-
Dance Hall, Dancing	C	C
Gymnasium	P	P
Miniature Golf Course, Commercial	P	-
Night Club/Social Club; Billiards or Pool Hall	C	C
Private Nonprofit Locker Club	C	C

⁸ Ordinance No. 05-25, dated 11/17/05

	GC	CBD
Recreation Center; Commercial	P	C
Recreation Vehicles Rental-Lease, Sales and Service Outdoor	P	C
Recreation Vehicles Rental, Sales and Service (indoor)	P	P
Swimming Pool, Commercial; Skating Rink, Commercial	P	C
Theater, Indoor	P	P
10. Sales and Related Services:		
Air conditioning, Ventilating Equipment, Sales/Repair	P	P
Art Needlework Shop	P	P
Art Shop and/or Art Supply	P	P
Awning Sales/Repair	P	P
Bakery, Retail Sales	P	P
Beer Outlet, Class A, Class B	C	C
Bookstore	P	P
Building Material Sales Enclosed	P	C
Building Material sales yard with sale of rock, sand, gravel and the like as an incidental part of the main business, but excluding concrete mixing, except as such concrete mixing is necessary in preparation and manufacture of any products specified in this section	P	C
Café; Cafeteria; Catering Establishment	P	P
Candy, Confectionery, Nut Shop	P	P
Carbonated Water Sales	P	P
China and/or Silver Shop	P	P
Clothing Store	P	P
Delicatessen	P	P
Department Store	P	P
Drapery Store	P	P
Drive-ins; Refreshment Stand; Eating and/or Drinking Place	P	P
Drugstore	P	P
Dry Goods Store	P	P
Electrical, Heating appliances and Fixtures, Sales/Repair/Service Five/Ten Cent Store, Notions	P	P
Floor Coverings Sales & Storage	P	P
Florist Shop	P	P
Fountain Equipment Supply	P	P

	GC	CBD
Fur Sales, Storage, Repair	P	P
Furniture Sales, and/or Repair, with Manufacturing, Compounding Assembling, and Woodworking of furniture or other wood products, to be sold on or off site, in a small totally enclosed woodworking Shop of not more than five employees ⁹	P	C
Gift Shop; Hobby or Crafts Shop	P	P
Greenhouse; Nursery; Plant Materials; Soil-lawn Service	P	C
Grocery; Meat Sales	P	P
Gunsmith	P	P
Hardware Store, not Including Sale of Powered Vehicles using Motor Greater than one (1) Horse-Power and not Including Sale of Lumber	P	P
Hardware Store, including Sale of Lumber, Providing all Lumber Storage is in Completely Enclosed Building	P	C
Health Food Store	P	P
Hobby and/or Craft Shop; Gift Shop	P	P
Hospital Supplies	P	P
Ice Cream Shop	P	P
Ice sales	P	P
Ice Vendor Units and/or Reach-in Ice Merchandise Units, Electric Ice-maker; Ice Storage, not more than five (5) tons capacity	P	P
Insulation Sales	P	P
Jewelry Store	P	P
Laundry, Automatic Self-help; Laundry Agency	P	P
Leather Goods; Luggage Sales	P	P
Linen Shop	P	P
Liquor and Beer Sales; Places for the Drinking of Liquor or Beer	C	C
Lumber Yard	P	C
Military Store (surplus)	P	P
Milk Distributing Station; Sale of Dairy Products, excluding Processing/Bottling	P	P
Monument Sales, Retail	P	P
Music Store	P	P
News Stand; Magazine Shop; Book Store	P	P
Notions	P	P
Novelty Shop	P	P

⁹ Ordinance No. 99-28, 10/14/99

	GC	CBD
Ornamental Iron, Sales Only	P	P
Package Agency	P	P
Painter/Paint Store	P	P
Pet Shop	P	P
Photographer or Photography Shop, Sales and Service	P	P
Plumbing Shop	P	P
Popcorn and/or Nut Shop	P	P
Radio and Television Sales and Repair	P	P
Radio and Television Station	P	P
Restaurant	P	P
Roofing Sales	P	P
Second-hand Shop, Antiques, Conducted Within a Building or Enclosure	P	P
Seed/Feed Store	P	P
Sewing Machine Shop	P	P
Shoe Shop; Shoeshine; Shoe Repair	P	P
State Liquor Store	C	C
Stationery and Greeting Card Sales	P	P
Tire Shop, Sales Only	P	P
Tobacco Shop	P	P
Variety Store	P	P
Wallpaper Store	P	P
Wholesale Business	P	C
11. Service Activities: Animal Hospital	C	-
Baby Formula Service; Baby Diaper Service; Baby Diaper Service	P	P
Bank	P	P
Barber Shop	P	P
Beauty Shop	P	P
Blueprinting, Photostating, Duplicating	P	P
Carpet and/or Rug Cleaning	P	P
Clothes Cleaning, Dyeing, Pressing	P	P
Costume Rental	P	P

	GC	CBD
Crisis Nursery	C	C
Day Care, Commercial	C	C
Dressmaking	P	P
Educational Institution ¹⁰	C	C
Educational Institution with Housing ⁴	C	C
Electric Appliances and/or Electronic Instruments Service	P	P
Employment Agency or Employment Office	P	P
Fix-it Shop; Repair Shop, Household Items	P	P
Frozen Food Lockers	P	C
Grooming for Pets	P	P
Hospital ⁴	P	-
Interior Decorating Store	P	P
Janitorial Service	P	P
Kennel	C	-
Kennel, Conducted Entirely Within a Soundproof and Air-conditioned Building	C	-
Key and Lock Service	P	P
Lithographing, including Engraving, Photo Engraving, Printing	P	P
Medical/Dental Clinic, Laboratories	P	P
Mortuary	P	C
Office Building Higher than three Stories and/or 50 Feet	P	C
Office, Business or Professional	P	P
Office Supply; Office Machines Sales, Repair	P	P
Pest Extermination Business	P	C
Reception Center and/or Wedding Chapel	P	C
Rehabilitation/Treatment Facility ⁴	C	-
Sheltered Workshop ⁴	P	C
Sign Painting Shop	P	C
Sports Therapy, Tanning Salon	P	P
Tailor Shop	P	P
Taxidermist	P	P

¹⁰ Ordinance No. 01-17, dated 2/15/01

	GC	CBD
Towel and Linen Supply Service	P	P
Trade or Vocational School ⁴	P	C
Travel Bureau	P	P
Upholstery Shop	P	C
Veterinary	C	-
12. Storage and Warehousing: Contractors' equipment storage yard or plant	C	-
Rental of equipment	P	C
Storage Units	C	-
13. Transportation: Bus Terminal	P	C
Drive-it Yourself Agency	P	C
Express Office	P	P
Freighting, Trucking Yard or Terminal	C	-
Taxi stand	P	P
Terminal, Parking and Maintenance Facilities	C	-
Transfer Company	P	-
Truck Stop and Service Facilities	C	-
29.46-13.030. Area, Width, Frontage, Yard and Coverage Regulations. ¹¹ Regulations as may be required by conditional use permit, design review, or by planned unit development approval, except that no commercial building shall be located closer than fifteen (15) feet (unless in compliance with exception noted below), to any residential district boundary line or to any public right-of-way that continues as frontage into a residential district within the same City block, not including Main Street and West Forest Street.	A	A
Except as may be allowed through planned unit development approval buildings and structures may cover no more percentage of the lot than Exception: A commercial building that meets all of the following requirements: <ul style="list-style-type: none"> • Not greater than two thousand (2,000) square feet in area • Less than twenty (20) feet in height • Built with materials that are aesthetically compatible to a residential district • Located adjacent to residential lots rear or side yard • In the opinion of the Planning Commission does not adversely affect the residential district due to noise, odor or similar nuisances 	50 C	50 C
29.46-13.040. Height Regulations. The maximum height for all buildings and structures in districts regulated by this chapter shall be: in feet	75	75

¹¹ Ordinance No. 04-32, dated 11/18/04.

	GC	CBD
in number of stories	7	7
29.46-13.050. Special Provisions. Any area outside of a building used for any activity other than off-street parking and loading shall be completely enclosed within a solid fence or wall of a height sufficient to completely screen such activity from the street or from adjoining parcels	A	A
All uses shall be free from objectionable noise, hazards, or nuisances	A	A
All uses shall be conducted from enclosed buildings except automobile service stations, automatic car wash, automobile and recreational coach or vehicle sales, lease, rental or repair, off-street parking and loading, plant material nurseries, outdoor restaurants, and commercial recreation, unless otherwise permitted by planned unit development or conditional use permit	A	A

29.46-13.060. Uses Not Listed.

The Zoning Administrator shall have the authority to identify and categorize unlisted uses within the listed permitted or conditional uses of this Chapter, based on a finding of substantial similarity of character, origin, and impact, etc., to a listed use, and when so categorized such use shall thereafter be recognized and treated the same as a listed use.¹²

¹² Chapter completely revised, Ordinance No. 97-08, 3/20/97